

## UNITED STATES DISTRICT COURT

for the  
Western District of Arkansas  
Fort Smith Division

**FILED**  
US DISTRICT COURT  
WESTERN DISTRICT  
OF ARKANSAS

May 6, 2020

OFFICE OF THE CLERK

In the Matter of the Search of )

Case No. 2:20CM53

**INFORMATION ASSOCIATED WITH** )

**Facebook user IDs** )

**100041696480958 and** )

**100004640173999 that is** )

**STORED AT PREMISES CONTROLLED** )

**BY FACEBOOK, INC.** )

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (*identify the person or describe property to be searched and give its location*): **SEE ATTACHMENT "A". This court has authority to issue this warrant under 18 U.S.C. §§ 2703(c)(1)(A) and 2711(3)(A) and Federal Rule of Criminal Procedure 41**

located in the Western District of Arkansas, there is now concealed (*identify the person or describe the property to be seized*): **SEE ATTACHMENT "B"**

The basis for the search under Fed. R. Crim. P. 41(c) is (*check one or more*):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 2251	Sexual Exploitation of a Minor via the Production of Child Pornography
18 U.S.C. §§ 2252/2252A	Receipt of Child Pornography
18 U.S.C. § 2422(b)	Online Enticement of a Minor to Engage in Sexual Activity

The application is based on these facts: **See Affidavit of TFO Warren Seals, "Attachment C"**

☒ Continued on the attached sheet.

☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

  
\_\_\_\_\_  
Applicant's signature  
Warren Seals, Task Force Officer FBI  
\_\_\_\_\_  
Printed name and title

Sworn to before me and signed in my presence.

Date: May 6, 2020

City and state: Fort Smith, Arkansas

  
\_\_\_\_\_  
Judge's signature  
Mark E. Ford, United States Magistrate Judge  
\_\_\_\_\_  
Printed name and title

**ATTACHMENT A**

**Property to be Searched**

This warrant applies to information associated with the Facebook user ID's:

Minor Victim: Facebook user ID: **100004640173999**

AND

Suspect: Facebook user ID: **100041696480958**

AND

Suspect: Facebook vanity name: **Liam Noah**

Between the time period of **November 1, 2019 until March 5, 2020**, that is stored at premises owned, maintained, controlled, or operated by Facebook Inc., a company headquartered in Menlo Park, California.

**ATTACHMENT B**

**Particular Items to be Seized**

**I. Information to be disclosed by Facebook**

To the extent that the information described in Attachment A is within the possession, custody, or control of Facebook Inc. ("Facebook"), including any messages, records, files, logs, or information that have been deleted but are still available to Facebook, or have been preserved pursuant to a preservation request, Facebook is required to disclose the following information to the government for each user ID listed in Attachment A:

- (a) All contact and personal identifying information, including full name, user identification number, birth date, gender, contact e-mail addresses, Facebook passwords, Facebook security questions and answers, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.
- (b) All activity logs for the account and all other documents showing the user's posts and other Facebook activities from **November 1, 2019 until March 5, 2020**;
- (c) All photos and videos uploaded by that user ID and all photos and videos uploaded by any user that have that user tagged in them from **November 1, 2019 until March 5, 2020**, including Exchangeable Image File ("EXIF") data and any other metadata associated with those photos and videos;
- (d) All profile information; News Feed information; status updates; videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends' Facebook user identification numbers; groups and

networks of which the user is a member, including the groups' Facebook group identification numbers; future and past event postings; rejected "Friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook applications;

- (e) All records or other information regarding the devices and internet browsers associated with, or used in connection with, that user ID, including the hardware model, operating system version, unique device identifiers, mobile network information, and user agent string;
- (f) All other records and contents of communications and messages made or received by the user from **November 1, 2019 until March 5, 2020**, including all Messenger activity, private messages, chat history, video and voice calling history, and pending "Friend" requests;
- (g) All "check ins" and other location information;
- (h) All IP logs, including all records of the IP addresses that logged into the account;
- (i) All records of the account's usage of the "Like" feature, including all Facebook posts and all non-Facebook webpages and content that the user has "liked";
- (j) All information about the Facebook pages that the account is or was a "fan" of;
- (k) All past and present lists of friends created by the account;
- (l) All records of Facebook searches performed by the account from **November 1, 2019 until March 5, 2020**;
- (m) All information about the user's access and use of Facebook Marketplace;
- (n) The types of service utilized by the user;
- (o) The length of service (including start date) and the means and source of any



payments associated with the service (including any credit card or bank account number);

- (p) All privacy settings and other account settings, including privacy settings for individual Facebook posts and activities, and all records showing which Facebook users have been blocked by the account;
- (q) All records pertaining to communications between Facebook and any person regarding the user or the user's Facebook account, including contacts with support services and records of actions taken.

Facebook is hereby ordered to disclose the above information to the government within **14 days** of issuance of this warrant.

## **II. Information to be seized by the government**

All information described above in Section I that constitutes fruits, evidence and instrumentalities of violations of Title 18, United States Code, Section 2251, Title 18, United States Code, Section 2252 and Title 18, United States Code, Section 2422(b), involving the suspect outlined herein since **November 1, 2019 until March 5, 2020**, including, for each user ID identified on Attachment A, information pertaining to the following matters:

- (a) Included, but not limited to, any and all sexually explicit images of minors
- (b) Evidence indicating how and when the Facebook account was accessed or used, to determine the chronological and geographic context of account access, use, and events relating to the crime under investigation and to the Facebook account owner;
- (c) Evidence indicating the Facebook account owner's state of mind as it relates to the crime under investigation;

- (d) The identity of the person(s) who created or used the user ID, including records that help reveal the whereabouts of such person(s).
- (e) The identity of the person(s) who communicated with the user ID about matters relating to the sexual exploitation of children or involving nude images of children being sent and received via the Internet or other means.
- (f) Any and all conversations, contacts, messages, emails, posts and/or chats involving the solicitation or enticement of minors to engage in sexually explicit conduct and/or encouraging minors to produce images or videos of themselves nude or engaging in sexually explicit conduct. Any and all conversations with others, adult or minors, concerning the sexual exploitation of children.

This warrant authorizes a review of electronically stored information, communications, other records and information disclosed pursuant to this warrant in order to locate evidence, fruits, and instrumentalities described in this warrant. The review of this electronic data may be conducted by any government personnel assisting in the investigation, who may include, in addition to law enforcement officers and agents, attorneys for the government, attorney support staff, and technical experts. Pursuant to this warrant, the FBI may deliver a complete copy of the disclosed electronic data to the custody and control of attorneys for the government and their support staff for their independent review.

**AFFIDAVIT IN SUPPORT OF SEARCH WARRANT**

I, Warren A Seals, a Task Force Officer for the Federal Bureau of Investigation (FBI), being duly sworn, depose and state as follows:

**INTRODUCTION**

1. I make this Affidavit in support of an application for a search warrant for information associated with Facebook IDs, using Facebook user IDs **100041696480958** and **100004640173999**, that is stored at premises owned, maintained, controlled, or operated by Facebook Inc. ("Facebook"), a social networking company headquartered in Menlo Park, California. More specifically, this Affidavit is submitted in support of an application for a search warrant authorizing the search of the basic subscriber information (sometimes referred to as Neoselect); the expanded subscriber content (sometimes referred to as Neoprint); User Photos (sometimes referred to as Photoprint); Group information: Private Messages and Internet Protocol Logs maintained and stored at premises owned, maintained, controlled, or operated by Facebook. This Affidavit is made in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) to require Facebook to disclose to the government copies of the information (including the content of communications) further described in Attachment B. Upon receipt of the information described in Attachment B, government-authorized persons will review that information to locate the items described in Attachment B.

2. I am a sworn law enforcement officer in the state of Arkansas. I am also sworn through the FBI to investigate criminal cases, as well as, a special deputy for the US Marshals. I am empowered by special deputation to conduct investigations into matters involving violations of both Title 21 and Title 18 in the United States Criminal Code. I am a Criminal Investigator with the Crawford County Sheriff's Department, currently assigned to the River Valley Child



Exploitation Task Force operating out of the FBI Resident Agency (RA) in Fort Smith, Arkansas. I have been so employed with the Crawford County Sheriff's Department since April 2011. As part of my daily duties as a TFO, I investigate criminal violations relating to crimes against persons utilizing the internet, the sexual exploitation and trafficking of minor children through the internet, child exploitation and child pornography including violations pertaining to the illegal production, distribution, online enticement, transportation, receipt and possession of child pornography. I have received training in the area of internet crimes against persons, sexual exploitation and trafficking of minor children through the internet, child pornography and child exploitation, and have had the opportunity to observe and review numerous examples of venues individuals utilize to advertise and exploit minor children for sexual encounters via the internet as well as child pornography in all forms of media including computer media. I have also participated in the execution of numerous search warrants and arrest warrants, a number of which involved internet crimes against persons, sex trafficking of minors, child exploitation and/or child pornography offenses. This Affidavit is being submitted based on information from my own investigative efforts as well as information obtained from others who have investigated this matter and/or have personal knowledge of the facts herein.

3. The information contained in this Affidavit is based upon my personal knowledge, as well as information provided to me by fellow law enforcement officers of the FBI, officers with the Crawford County Sheriff's Department, information provided by witness statements, and my experience and background. This Affidavit is being submitted for the purpose of securing a search warrant, and I have not included each and every fact known to me concerning this investigation. I have set forth only those facts which I believe are necessary to establish probable cause for the requested search warrant.



4. Based on my training and experience and the facts as set forth in this Affidavit, there is probable cause to believe that the user of Facebook user ID **100041696480958**, Facebook vanity name “**Liam Noah**” (hereinafter “**NOAH**”) committed violations of 18 U.S.C. § 2422(b) (persuasion, inducement, enticement, or coercion of a minor), 18 U.S.C. § 2252A(a)(2) (receipt of child pornography) and 18 U.S.C. § 2251 (production of child pornography, as that term is defined in 18 U.S.C. § 2256(8)), and that evidence of these violations, as described in Attachment B, is located within the Facebook accounts described in Attachment A. There is also probable cause to search the accounts described in Attachment A for evidence, instrumentalities, contraband, or fruits of these crimes, as further described in Attachment B.

#### STATUTORY AUTHORITY

5. This investigation concerns alleged violations of Title 18, United States Code, Sections 2251(a) and (e), relating to the Sexual Exploitation of a Minor via the Production of Child Pornography and Title 18 United States Code Sections 2252 and 2252A, relating to material involving the receipt and possession of child pornography, which has been defined in Title 18, United States Code, Section 2256(8), as an individual under 18 years of age and Title 18, United States Code, Section 2422(b), Online Enticement of a Minor.

6. Under Title 18, United States Code, Section 2251(a) it is a federal crime for any person using any means or facility of interstate and foreign commerce, to entice, use, persuade...a person that has not obtained the age of 18 years to engage in sexually explicit conduct for the purpose of creating a visual depiction of such conduct.

7. Under Title 18, United States Code, Sections 2252(a)(1) (transportation), 2252(a)(2) (receipt and distribution), and 2252(a)(4)(B) and 2252A(a)(5)(B) (possession), it is a federal crime for any person to transport, distribute, receive, and possess child pornography, as

that term is defined by federal law. Further under Title 18, United States Code, Section 2253(a)(3), a person who is convicted of an offense under Title 18, United States Code, Section 2252 or 2252A, shall forfeit to the United States such person's interest in any property, real or personal, used or intended to be used to commit or to promote the commission of such offense.

8. Under Title 18, United States Code, Section 2422(b), Enticement of Minor to Engage in Sexual Activity, it is a crime for a person to use the Internet or any other means which affects interstate commerce, to attempt to knowingly persuade, induce, entice and coerce a person who has not attained the age of 18 years to be caused to engage in a criminal sex act, or attempt to do so.

#### **BACKGROUND REGARDING FACEBOOK ACCOUNTS**

9. Based on my knowledge and experience and information obtained from other law enforcement personnel with training and experience in this area, the following is known about Facebook accounts:

- a). Facebook, Incorporated is a social networking website that provides electronic services to the general public free-of-charge.
- b). Stored electronic communications, including but not limited to status update history, shares, notes, wall postings, friend listing, groups listing, video listing, user photographs, group information and private messages for Facebook subscribers, may be located on Facebook's servers.
- c). Electronic communications are stored under the Facebook subscriber's profile or account on Facebook's servers. A particular message can remain on the Facebook server indefinitely, if the subscriber does not specifically remove it from their profile/account.

d). A Facebook subscriber can store files, including but not limited to messages, postings, image files, video files and attachments, on the Facebook server under the subscriber's profile/account. If a subscriber has friends also utilizing Facebook profiles/accounts they could transfer files to and from the various profiles/accounts.

e). Facebook also maintains transaction information, including log records of Internet Protocol (IP) addresses, used to access accounts. A particular computer connected to the Internet is most commonly identified by an IP address and is usually traceable to a particular Internet Service Provider (ISP), who provides the user with their Internet connection.

f). Facebook maintains subscriber information, which is provided when an individual creates a Facebook profile or account.

g). Subscribers to Facebook profiles/accounts also have the ability to communicate with other Facebook profiles/accounts by means of Instant Messages (IM) (also known as Chat) providing the subscribers real-time communications. Facebook also maintains information regarding memory storage of IM sessions between profiles/accounts.

h). Facebook owns and operates a free-access social networking website of the same name that can be accessed at <http://www.facebook.com>. Facebook allows its users to establish accounts with Facebook, and users can then use their accounts to share written news, photographs, videos, and other information with other Facebook users, and sometimes with the general public.



i). Facebook asks users to provide basic contact and personal identifying information to Facebook, either during the registration process or thereafter. This information may include the user's full name, birth date, gender, contact e-mail addresses, Facebook passwords, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers. Facebook also assigns a user identification number to each account.

j). Facebook users may join one or more groups or networks to connect and interact with other users who are members of the same group or network. Facebook assigns a group identification number to each group. A Facebook user can also connect directly with individual Facebook users by sending each user a "Friend Request." If the recipient of a "Friend Request" accepts the request, then the two users will become "Friends" for purposes of Facebook and can exchange communications or view information about each other. Each Facebook user's account includes a list of that user's "Friends" and a "News Feed," which highlights information about the user's "Friends," such as profile changes, upcoming events, and birthdays.

k). Facebook users can select different levels of privacy for the communications and information associated with their Facebook accounts. By adjusting these privacy settings, a Facebook user can make information available only to himself or herself, to particular Facebook users, or to anyone with access to the Internet, including people who are not Facebook users. A Facebook user can also create "lists" of Facebook friends to facilitate the application of these privacy



settings. Facebook accounts also include other account settings that users can adjust to control, for example, the types of notifications they receive from Facebook.

l). Facebook users can create profiles that include photographs, lists of personal interests, and other information. Facebook users can also post "status" updates about their whereabouts and actions, as well as links to videos, photographs, articles, and other items available elsewhere on the Internet. Facebook users can also post information about upcoming "events," such as social occasions, by listing the event's time, location, host, and guest list. In addition, Facebook users can "check in" to particular locations or add their geographic locations to their Facebook posts, thereby revealing their geographic locations at particular dates and times. A particular user's profile page also includes a "Wall," which is a space where the user and his or her "Friends" can post messages, attachments, and links that will typically be visible to anyone who can view the user's profile.

m). Facebook allows users to upload photos and videos, which may include any metadata such as location that the user transmitted when he or she uploaded the photo or video. It also provides users the ability to "tag" (i.e., label) other Facebook users in a photo or video. When a user is tagged in a photo or video, he or she receives a notification of the tag and a link to see the photo or video. For Facebook's purposes, the photos and videos associated with a user's account will include all photos and videos uploaded by that user that have not been deleted, as well as all photos and videos uploaded by any user that have that user tagged in them.

n). Facebook users can exchange private messages on Facebook with other users. Those messages are stored by Facebook unless deleted by the user. Facebook users can also post comments on the Facebook profiles of other users or on their own profiles; such comments are typically associated with a specific posting or item on the profile. In addition, Facebook has a chat feature that allows users to send and receive instant messages through Facebook Messenger. These chat communications are stored in the chat history for the account. Facebook also has Video and Voice Calling features, and although Facebook does not record the calls themselves, it does keep records of the date of each call. If a Facebook user does not want to interact with another user on Facebook, the first user can "block" the second user from seeing his or her account.

o). Facebook has a "like" feature that allows users to give positive feedback or connect to particular pages. Facebook users can "like" Facebook posts or updates, as well as webpages or content on third-party (i.e., non-Facebook) websites. Facebook users can also become "fans" of particular Facebook pages. Facebook has a search function that enables its users to search Facebook for keywords, usernames, or pages, among other things. Each Facebook account has an activity log, which is a list of the user's posts and other Facebook activities from the inception of the account to the present. The activity log includes stories and photos that the user has been tagged in, as well as connections made through the account, such as "liking" a Facebook page or adding someone as a friend. The activity log is visible to the user but cannot be viewed by people who visit the user's Facebook page. Facebook also has a Marketplace feature, which allows users to post free

classified ads. Users can post items for sale, housing, jobs, and other items on the Marketplace. In addition to the applications described above, Facebook also provides its users with access to thousands of other applications ("apps") on the Facebook platform. When a Facebook user accesses or uses one of these applications, an update about that the user's access or use of that application may appear on the user's profile page.

p). Facebook also retains Internet Protocol ("IP") logs for a given user ID or IP address. These logs may contain information about the actions taken by the user ID or IP address on Facebook, including information about the type of action, the date and time of the action, and the user ID and IP address associated with the action. For example, if a user views a Facebook profile, that user's IP log would reflect the fact that the user viewed the profile, and would show when and from what IP address the user did so. Social networking providers like Facebook typically retain additional information about their users' accounts, such as information about the length of service (including start date), the types of service utilized, and the means and source of any payments associated with the service (including any credit card or bank account number). In some cases, Facebook users may communicate directly with Facebook about issues relating to their accounts, such as technical problems, billing inquiries, or complaints from other users. Social networking providers like Facebook typically retain records about such communications, including records of contacts between the user and the provider's support services, as well as records of any actions taken by the provider or user as a result of the communications.



q). As explained herein, information stored in connection with a Facebook account may provide crucial evidence of the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, a Facebook user's IP log, stored electronic communications, and other data retained by Facebook, can indicate who has used or controlled the Facebook account. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence. For example, profile contact information, private messaging logs, status updates, and tagged photos (and the data associated with the foregoing, such as date and time) may be evidence of who used or controlled the Facebook account at a relevant time. Further, Facebook account activity can show how and when the account was accessed or used. For example, as described herein, Facebook logs the Internet Protocol (IP) addresses from which users access their accounts along with the time and date. By determining the physical location associated with the logged IP addresses, investigators can understand the chronological and geographic context of the account access and use relating to the crime under investigation. Such information allows investigators to understand the geographic and chronological context of Facebook access, use, and events relating to the crime under investigation. Additionally, Facebook builds geo-location into some of its services. Geo-location allows, for example, users to "tag" their location in posts and Facebook "friends" to locate each other. This geographic and timeline information may tend to either inculcate or exculpate the Facebook account owner. Last,



Facebook account activity may provide relevant insight into the Facebook account owner's state of mind as it relates to the offense under investigation. For example, information on the Facebook account may indicate the owner's motive and intent to commit a crime (e.g., information indicating a plan to commit a crime), or consciousness of guilt (e.g., deleting account information in an effort to conceal evidence from law enforcement).

r). Therefore, the computers of Facebook are likely to contain all the material described above, including stored electronic communications and information concerning subscribers and their use of Facebook, such as account access information, transaction information, and other account information.

#### **PROBABLE CAUSE**

10. On February 25, 2020, M.W., Minor Victim's mother, reported to Mountainburg Police Department that Minor Victim sent explicit images and videos to a person identified on Facebook as Liam NOAH using Facebook Messenger. Minor Victim was 14 years old at the time of this report. The cell phone used to take and send the images was collected by Crawford County Sheriff's Office (CCSO) investigators as evidence and transported to the CCSO.

11. On February 26, 2020, a forensic interview was conducted with Minor Victim at the Hamilton House Child Advocacy Center (CAC). During the interview, Minor Victim disclosed that NOAH messaged her on Facebook Messenger and she tried to block him but was unable. Minor Victim stated she started talking to NOAH and then NOAH asked her to send him pictures of herself. Minor Victim sent some photos and NOAH then asked for nude images of Minor Victim. She stated that he made her feel pretty and confident. She stated that NOAH pressured her to send photos and told her that if she sent a video, he would delete the prior images.

12. Minor Victim stated she was in her bathroom and her younger cousin entered the room. Minor Victim stated she had her cousin video recorded Minor Victim taking off her clothes. This video was sent to NOAH via Facebook Messenger. Minor Victim said she had not communicated with NOAH since that day.

13. On February 25, 2020, CCSO Investigators met with M.W. at her residence. M.W. gave CCSO investigators and other law enforcement officers consent to search the cell phone previously collected as evidence. M.W. also gave consent for investigators to assume the online identity of Minor Victim's Facebook account. CCSO Investigators changed the password and log in information associated with Minor Victim's Facebook account in order to preserve the evidentiary information. M.W. stated the images sent to NOAH had been deleted from the Facebook Messenger chat but were still located on the mobile phone. M.W. said she confronted NOAH through Facebook Messenger when she discovered the explicit photos and the chat.

14. On February 28, 2020, CCSO Investigators accessed Minor Victim's Facebook account and observed a Facebook Messenger chat exchange that occurred on or about February 22, 2020 to and including February 25, 2020, and is as follows:

Suspect: Show full body picture

*Minor Victim sent one picture of herself and asked the Suspect to be her boyfriend*

Suspect: yes I want

Minor Victim: yes (heart emoji)

Suspect: cool

Minor Victim: k

Suspect: babe (kissing emoji)

Minor Victim: I already took one

Suspect: love u

Suspect: mke the light on

Suspect: Make the light on first babe

Suspect: I cant see well

Suspect: Show better babe (kissing emojis)

Minor Victim: I break up with u

Suspect: why (kissing emoji)

Minor Victim: I never love you it was prank

Suspect: Just show more clear pic and that is it. I'll not ask again

Minor Victim: Then forget about it

Suspect: plz babe

Suspect: just one time

Minor Victim: no we break up

Suspect: babe ? send one then I ll record a video

Minor Victim: bo

Minor Victim: no

Suspect: do you have Instagram babe?

Minor Victim: no

Suspect: why

Minor Victim: I'm going to block you

Suspect: I have ur nudes

Suspect: of u do that I'll post here in facebook

Suspect: and in my Instagram

Suspect: with your profile

Minor Victim plz Don't

Suspect: Why

Suspect: but I want to post

Minor Victim: Plz don't I'll date you

Suspect: I have an Idea

Minor Victim: what

Suspect: Do you want me to delete all ur pictures?

Minor Victim 1: yes

Suspect: cool

Suspect: we'll make a deal

Minor Victim: ok what is it

Suspect: after hour deal , I swear I'll delete all

Suspect: our

Minor Victim: ok

Minor Victim: you promise?

Suspect: i promise

Minor Victim: ok

Suspect: okay

Suspect: Ia m waiting here

Minor Victim: Can I take a vid taking my clothes instead

Suspect: but

Suspect: u should show full body

Suspect: and record five minutes

Suspect: and make the light on.. not dark

Minor Victim: ok

Suspect: I am waiting

Minor Victim: can I just take a pick of my self naked

Suspect: Nooooo

Suspect: recording

Suspect: I am waiting

Minor Victim: is it ok if it is 59 secs

Suspect: okay

Suspect: but you should record two videos



Suspect: okay ?

Minor Victim: you said one

Suspect: but two 59 seconds

Suspect: one 5 minutes or 3 minutes

Suspect: by the way show one

Suspect: if it is good I'll not tell u post another one

Suspect: okay ?

Suspect: u done recording

Minor Victim: plz just one vid plz plz plz I'm crying (crying face emoji) right now

Suspect: one video 2 minutes ,, okay?

Minor Victim: why not the one vid

Suspect: okay one vid (Thumbs up emoji)

Minor Victim: so can I plz just do the 59 sec video

Suspect: Plz only do another 59 second

Suspect: and then our deal'll finish

Suspect: Okay ?

Suspect: just one else

Suspect: U understand me?

Suspect: Are u here?

*Suspect attempted to video call the Minor Victim*

Minor Victim: ok I cant call my phone about to die

Minor Victim: do u keep your promise

Suspect: yes I keep my promise bc I am loyal boy

Minor Victim: just a pic?

Minor Victim: so is my room

Suspect: awe

Suspect: just open more light bc I cant see u

Minor Victim: it dark outside

Suspect: Make pictures clear and bright

Minor Victim: I'll try

Suspect: im waiting

Suspect: be hurry I want to do as I promised u

Suspect: okay

Suspect: take some pictures bc if u take one maybe not clear

Minor Victim: plz just one my parents are back and I don't have much time

Suspect: okay

Minor Victim: thank u so much

Suspect: np

Suspect: dark

Suspect: plz

Suspect: why

Minor Victim: plzz

Suspect: yes MV<sup>1</sup>

Suspect: can I bideo call ? and show then that is it

Suspect: okay?

Suspect: MV

Suspect: hold on

Suspect: I'll delete all

Suspect: I am Loyal boy

Suspect: yes

Minor Victim: thank you

Suspect: by the way I deleted all ur pictures I have

Suspect: I promise

Suspect: MV ?

Minor Victim: yes?

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<sup>1</sup> Name redacted from conversation and MV put in its place each time name used

Suspect: who is that girl who recorded video for u?

Minor Victim: my cousin why?

Suspect: How old she is

Minor Victim: 7 she keeps secrets and she was crying took bc she didn't want anything to happen to me

Suspect: she is cute

Suspect: say hello to her

Suspect: can I see her pic?

Minor Victim: no nudes

Suspect: why

Suspect: but all we did are secret I promise

Suspect: I promise I am loyal boy MV

Minor Victim: she isn't here anymore her parents came and picked her up

Suspect: Cana u bring her to the bathroom and take one pic of her plz MV?

Suspect: just one

Suspect: one only plz

Minor Victim: my phone 1 percent it dying and she left

Suspect: send her normal pic

*Minor Victim sends a picture of her cousin with clothes on*

Minor Victim: this is all I have of her

Minor Victim: I promis I don't lie

Suspect: I know u don't lie

Suspect: u are loyal girl

Suspect: and remember I am loyal boy also

Minor Victim: I gtg my phone about to die

Suspect: MV?

Minor Victim: what

Minor Victim: Actually I don't want it



Suspect: Why

Minor Victim: Fine Next time tho ok?

Minor Victim: yes and I rly gtg

Suspect: okay my dear

Suspect: bye

Victim: bye

Suspect: hey

Suspect: MV

At this point, Minor Victim's mother was aware of the chat exchange and assumed control of Minor Victim's username and account

Minor Victim: WHO THE HELL IS THIS

Minor Victim: WHY ARE YOU TALKING TO MY TEENAGER LIKE THIS

Minor Victim: YOU ARE NO LONGER ALLOWED TO TALK TO HER AND I WILL BE PRESSING CHARGES

Suspect: hey

Suspect: he is me liam

Suspect: I am her bestie

Suspect: hey

Suspect: I want to tell u something important

Suspect: Listen

*Suspect sends a screenshot of all the images Minor Victim sent including a close up of her vagina, close up of her breast, and a video of her naked.*

Suspect: u see

Suspect: Do you lke me to post ur nudes?

Suspect: in Instagram and facebook ,, do u like?

15. Your Affiant noted the first identifiable contact between Minor Victim and the user NOAH occurred on February 22, 2019, in which Minor Victim sent NOAH a chat message saying,

“My phone is being stupid.” The next interaction was on February 23, 2019 in which NOAH messaged “Hey” and Minor Victim answered, “Hey. What r u doing?” The conversation ensued and it was evident to your Affiant that Minor Victim and NOAH had communicated prior to this interaction by another means. Your Affiant knows from training and experience that subjects who seek to entice juveniles using the internet will often make initial contact with juveniles using one internet application and, once contact has been made and a rapport has been established, move to another internet application in an attempt to evade law enforcement.

16. On March 4, 2020, an extraction of data from the cell phone provided by M.W. was conducted by Arkansas State Police (ASP) investigators. Your Affiant was able to review the extracted information.

17. The phone extraction uncovered several images of suspected child pornography. The images were created between the dates of December 24, 2019 and February 24, 2020. During the review of the extracted data, your Affiant located several images, a sample of which is described below:

- a. A close up image of a prepubescent vagina with the legs spread open and hands near the vagina. This image has a creation date of 12/26/2019 01:32.
- b. A close up image of a pubescent vagina with dark hair and fingers touching the vagina created on 12/26/2019 22:45.
- c. An image of a pubescent vagina facing upward in a position that also shows the Minor Victim’s face created on 01/22/2020 22:35.
- d. A video lasting 6 seconds of the Minor Victim removing her shirt and exposing her breasts created 02/23/2020 18:18.

- e. An image of Minor Victim's full nude body standing in the picture frame exposing her breasts and vagina created 2/24/2020 00:33.

18. Based on the investigation outlined herein, there exists probable cause to believe that there currently exists evidence related to the Sexual Exploitation of Children on said Facebook accounts. A preservation request was submitted to Facebook by CCSO investigators in order to preserve the integrity of all information associated with said Facebook accounts.

#### **EXECUTION OF SEARCH WARRANT**

19. Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service of this warrant. Because the Facebook Inc. servers containing the information and evidence are located outside of the Western District of Arkansas, your Affiant will not physically execute this search warrant at Facebook Inc. in Menlo Park, California. Instead, a copy of the search warrant will be forwarded via e-mail to the Facebook Inc. law enforcement internet portal located at facebook.com/records. Upon receiving the copy of the search warrant, the Facebook Inc. Legal Department will ensure that the requested records are recovered from their servers in a manner consistent with the preservation and handling of evidentiary material. The execution of the search warrant in this manner will ensure that Facebook's business operation is uninterrupted by the otherwise physical execution of a search warrant by law enforcement and provides the least intrusion manner for all parties involved.

#### **CONCLUSION**


20. Based on the foregoing information, probable cause exists to believe there is located on the computer servers of Facebook Inc., evidence of violations of Title 18, United States Code, Section 2251, Title 18, United States Code, Section 2252 and Title 18, United States Code, Section 2422(b). Your Affiant prays upon his honorable court to issue a search warrant to Facebook Inc.

for the items set forth in attachment B, that constitute evidence, fruits, and instrumentalities of violation of Title 18, United States Code, Sections 2251, 2252 and 2422(b).

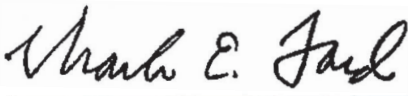
**REQUEST FOR SEALING**

I further request that the Court order that all papers in support of this application, including the Affidavit and search warrant, be sealed until further order of the Court. These documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is a god cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Further your Affiant sayeth not.

  
Warren A. Seals, Task Force Officer  
Federal Bureau of Investigation

Affidavit subscribed and sworn to before me this 6th day of May, 2020.

  
Honorable Mark E. Ford  
United States Magistrate Judge